THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.19486 of 2004

Dated: 08-09-2006

Between:

Mohd. Shah Nawaz.

..... PETITIONER

AND

The Joint Collector, Nellore, and two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.19486 of 2004

ORDER:

The petitioner is allegedly owner of agriculture lands in survey Nos. 197-1, 198, 198-1, 198-4, 201-8, 202-6A, 202-6B, 202-7, 202-8, 203-1 and 203-2 situated at Budhanam Village, Chillakur Mandal, Nellore District. He allegedly purchased the lands under registered sale deeds during the period 1998-1999. The third respondent initiated action under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity) for contravention of Section 3(2) of the Act. A show-cause notice dated 19-07-2004 was issued calling upon the petitioner to show cause as to why he should not be evicted from the lands. Aggrieved by the said show-cause notice, the present writ petition is filed.

At the time of hearing the interlocutory applications, being W.V.M.P.No.262 of 2005 and W.P.M.P.25521 of 2004, it is brought to the notice of this Court that pursuant to the impugned notice, MRO passed orders under Section 4 of the Act on 26-09-2004 ordering resumption of the lands whereas the writ petition is filed before this Court on 19-10-2004. In that view of the matter, the validity of the show-cause notice itself cannot be adjudicated. If so aggrieved, the petitioner may file an appeal before the competent Revenue Divisional Officer.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

08th September, 2006

ghn